



Utility Patent  
Ser. No. 09/778,544

3761/B  
#13  
DR  
6/4/03

BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andy T. Zupan )  
Serial No.: 09/778,544 )  
Filed: 02/07/2001 )  
Title: Portable, Multipurpose, Air Dispensing Apparatus )

Date: May 14, 2003  
Group Art Unit: 3761  
Examiner: Patel, M.

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Hon. Commissioner of Patents and Trademarks  
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AMENDMENT

Dear Sir:

In response to the communication from the Examiner dated 01/14/2003, reconsideration of the application, as previously amended, is hereby respectfully requested.

In particular, the examiner respectfully objected to the specification under 35 U.S.C. 112

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and 37 C.F.R. 1.71 as failing to provide adequate support in the disclosure for how the valve functions, specifically the sequence of events that occur when the activation button is depressed to fill the chamber up with the oxygen and nitrogen and how the seat member and ball are displaced during the dispensing of the oxygen and nitrogen. However, the examiner failed to consider on the record the "Declaration of James A. Bickford, P.E., under 37 C.F.R. 1.132" filed on October 24, 2002. For convenience, a copy of said Declaration is attached.

In the aforementioned declaration, the expert, as one knowledgeable of the invention and skilled in the art, felt that the specification was sufficiently enabling to one skilled in the art. Therefore, in view of foregoing amendments and clarifications, the applicant submits that allowance of the present application and all remaining claims, as amended, is in order and is requested.

Respectfully submitted,

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